

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1230, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 2, line 5, after "include" insert "**(1)**":
- 2       **(1)".**
- 3       Page 2, line 8, delete "." and insert "**(2) a person that operates a facility that transfers intermodal**
- 4       **freight between a railroad and a motor carrier;**
- 5       **(3) a person (including an agent or a subcontractor acting on**
- 6       **behalf of the person) principally engaged in the business of**
- 7       **transporting intermodal freight containers or other**
- 8       **intermodal equipment used or to be used as part of an**
- 9       **intermodal movement; or**
- 10       **(4) a person that is an energy utility (as defined in**
- 11       **IC 8-1-2.5-2)."**
- 12       Page 2, line 9, after "Sec. 3." insert "**(a) This section does not apply**
- 13       **to a contract provision in which a motor carrier indemnifies a**
- 14       **promisee only for loss or damage that results directly from the**
- 15       **negligence, omission, or intentional act of the motor carrier or the**
- 16

- 1        **agent, employee, servant, or independent contractor that is directly**
- 2        **responsible to the motor carrier.**
- 3        **(b)".**

(Reference is to HB 1230 as reprinted February 4, 2005.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 8, Nays 0.

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**Senator Long, Chairperson**